

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DWAYNE ROBISON,)
Petitioner,)
v.) No. 4:19-cv-1179-JMB
TERI LAWSON,)
Respondent.)

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on petitioner's motion to proceed in forma pauperis. The Court will provisionally grant the motion. Additionally, the Court will transfer this case to the United States District Court for the Western District of Missouri.

Petitioner, a Missouri state prisoner, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is presently incarcerated in the Farmington Correctional Center, which is located within this judicial district. However, petitioner's conviction arose in Boone County, Missouri. *See State v. Dwayne Robison*, No. 13BA-CR03033-01 (13th Jud. Cir. 2014). Boone County is located within the confines of the Western District of Missouri. 28 U.S.C. § 105(b)(4).

The Eastern District of Missouri and the Western District of Missouri both have jurisdiction over the petition. *See* 28 U.S.C. § 2241(d). In an instance such as this, the Court may transfer the petition to the Western District "in furtherance of justice . . ." *Id.* Additionally, the Court has entered an administrative order stating that, absent any unusual circumstances, any habeas petition challenging a conviction or sentence arising out of a proceeding in the Western District of Missouri should be transferred to that district. *In re Business of the Court*, January 27, 1986. The Court will therefore order that this case be transferred to the United States District Court for the Western

District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion for leave to proceed in forma pauperis is **PROVISIONALLY GRANTED**, subject to modification by the United States District Court for the Western District of Missouri.

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. *See* 28 U.S.C. § 2241(d).

Dated this 6th day of May, 2019.


RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE